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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/707,473             |           |
|   | Filing Date          | December 17, 2003      |           |
|   | First Named Inventor | Hiromi Ito             |           |
|   | Art Unit             | 3728                   |           |
|   | Examiner Name        | Anthony D. Stashick    |           |
| Total Number of Pages in This Submission  | 51                   | Attorney Docket Number | 38.002-AG |

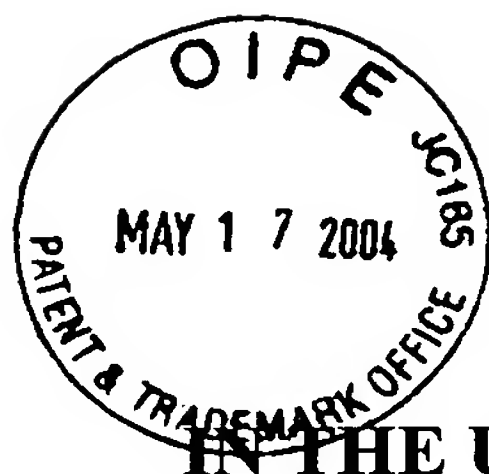
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                   |
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| Firm or Individual name                    | JUDGE PATENT FIRM |
| Signature                                  |                   |
| Date                                       | May 10, 2004      |

| CERTIFICATE OF TRANSMISSION/MAILING   |  |      |  |
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                      |   |                     |                       |
|----------------------|---|---------------------|-----------------------|
| App. No.             | : | 10/707,473          | Confirmation No. 1472 |
| Applicant            | : | Hiromi Ito          |                       |
| Filed                | : | December 17, 2003   |                       |
| Tech. Cntr./Art Unit | : | 3728                |                       |
| Examiner             | : | Anthony D. Stashick |                       |
|                      |   |                     |                       |
| Docket No.           | : | 38.002-AG           |                       |
| Customer No.         | : | 29453               |                       |

Honorable Commissioner for Patents  
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**INFORMATION DISCLOSURE STATEMENT**

Sir:

This constitutes an Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98. The documents listed on the accompanying Form PTO/SB/08A are hereby brought to the Examiner's attention in the patent application identified above.

**REMARKS**

Cite Nos. A1, F1, F2 and F3 as listed on Form PTO/SB/08A were cited in a communication from the European Patent Office in a counterpart application. Among these, Cite Nos. F1-F3 are not in English.

Furthermore, Cite Nos. F4 through F7 are prior art known to the Applicant and are also not in English.

**Concise Explanation of Relevance Pursuant to 37 C.F.R. § 1.98(a)(3)**

- ***Cite Nos. F1-F3***

As a concise explanation of the relevance of Cite Nos. F1-F3, a copy of the European Search Report also accompanies this paper.

- ***Cite No. F4 - Japanese Unexamined Pat. App. Pub. No. 2002-177001***

Cite No. F4 is directed to shoes configured to collapse down to an essentially flat form in order to reduce the space the shoes occupy when packed away. The shoes of Cite No. F4 are described as an improvement over U.S. Pat. No. 4,214,383, which is similarly directed to slippers designed for compact storage.

Fig. 1 in the F4 reference illustrates an open-back shoe (slipper) in which a shoe upper part 2 running along the edge portion 3 of a sole part 1 is partially fastened to the sole part 1 by a faster 4. With the fastener undone, the upper part 2 folds over onto the flat of the sole part 1.

Although a shoe according to this reference is most advantageously embodied in the slipper form depicted in Figs. 1 and 2, closed-back-slipper and half-boot forms that include a heel part 9 are depicted in Figs. 3 and 4. Nevertheless, even in the embodiments of Figs. 3 and 4, an additional fastener 14 is provided so that the heel part 9 can be unfastened at least to the back of the heel, and that way the whole shoe can be opened out so that both the upper and the heel parts can be folded over to minimize the space that the shoe takes up when packed away for traveling, or when stowed away on a shelf or in a locker, for example.

The present invention is directed to shoes for the elderly and nursing-care recipients. Accordingly, while shoes of the present invention are designed to be easy to put on and take off, they also must provide sufficient support for the comfort of their targeted users, which requires firmness in the heel that could not be obtained if the heel were partially detachable as is the case with the shoes of the Cite No. F4 reference.

In shoes configured according to the embodiments of Figs. 3 and 4 in Cite No. F4, the only fastening means between the heel part 9 and the upper part 2 is a clasp 7; nothing is disclosed or taught about a fastener provided along the split between the heel part 9 and the upper part 2.

In contrast, shoes embodied according to the present invention are provided with complementary hook-and-pile fasteners 11 and 12 that close the split between the vamp 1 and the quarter 4. Although Cite No. F4 teaches that the number or forms of the fasteners 4 and 14 are not restricted, nowhere does the reference disclose, teach, or suggest providing fastening means along the standing split between the upper and heel parts.

- ***Cite No. F5 - Japanese Utility Model App. Pub. No. S61-66501***

The shoe described in Cite No. F5 is designed for comfort particularly in the toe region. A fastener 6 that serves to reattachably detach an upper covering 7 partially off the back and base of the shoe is provided running from the ball of the big toe to forward of the ankle. Thus the shoe is configured so that it may "readily and effortlessly be put on and taken off simply by working the fastener pull tab 5."

In contrast to the present invention, Cite No. F5 nowhere discloses, teaches, or suggests providing complementary hook-and-pile fasteners, separate from the zipper that fastens the upper covering to the sole, to close the split between the upper covering and the back of the shoe.

- ***Cite No. F6 - Japanese Utility Model App. Pub. No. S57-137303***

This reference describes an exercise shoe that can be opened along the toe of the shoe, or split apart along the vamp from the tongue to the toe, by means of a fastener 1 as indicated in Figs. 1 and 2. The purpose of thus being able to open the shoe is to make it easier to wash and dry the inside of the shoe along the toe area.

Clearly the shoe of this reference is directed away from the particular features and advantages of the present invention detailed above. In the Cite No. F6 shoe, the vamp is not designed to open out off the sole, and there is no split between the vamp and the quarter.

- ***Cite No. F7 - Japanese Utility Model App. Pub. No. S55-98210***

The shoe described in this reference is furnished with a fastener 1 surrounding the outside front of the shoe. The fastener 1 allows that area of the shoe to be split in two and exposed to the exterior to facilitate washing and drying the shoe, as is the objective in Cite No. F6.

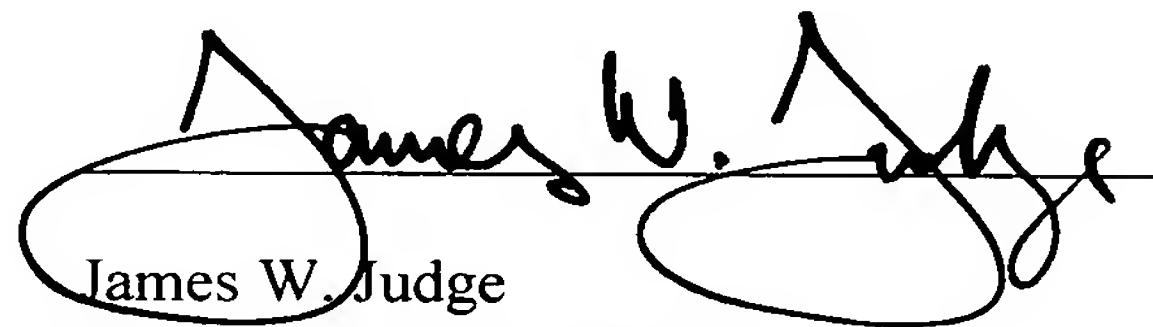
In the Cite No. F7 shoe likewise, the vamp is not designed to open out off the sole, and there is no split between the vamp and the quarter.

App. No. 10,707,473  
IDS Submission dated May 10, 2004

The Examiner is respectfully requested to consider these references, and to indicate so on the accompanying Form PTO/SB/08A and make the document of record in the present application.

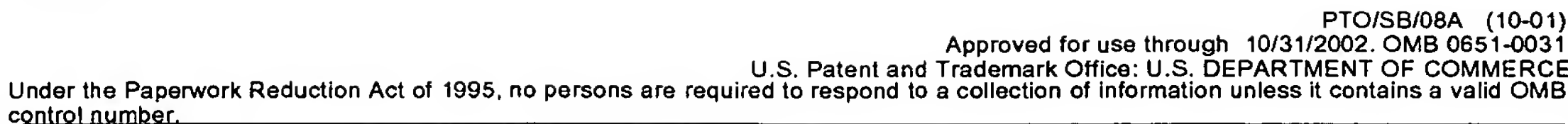
Respectfully submitted,

May 10, 2004



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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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